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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TEZOS SECURITIES LITIGATION

Master File No. 17-cv-06779-RS

CLASS ACTION

This document relates to:

ALL ACTIONS

**DECLARATION OF SAMANTHA KIRBY IN
SUPPORT OF DLS DEFENDANTS' MOTION
TO DISMISS LEAD PLAINTIFF'S
CONSOLIDATED COMPLAINT**

Date: July 19, 2018
Time: 1:30 p.m.
Judge: Hon. Richard Seeborg
Courtroom: 3, 17th Fl.
Trial Date: Not yet set

1 I, Samantha Kirby, make the following declaration under 28 U.S.C. § 1746:

2 **1.** I am an Associate with the law firm of Cooley LLP, counsel of record for Defendant
3 Dynamic Ledger Solutions, Inc. (“DLS” or “the Company”), in the above-captioned matter. I am a
4 member in good standing for the Bar of California. I submit this Declaration in Support of DLS
5 Defendants’ Motion to Dismiss Lead Plaintiff’s Consolidated Complaint. I have knowledge of the
6 following, and, if called as a witness, I could and would testify competently thereto.

7 **2.** Attached hereto **Exhibit 1** to this declaration is a true and correct copy of the “Tezos
8 Overview” posted to the Tezos website.¹ Plaintiff quotes this document in paragraphs 17, 47, 48, 87,
9 97, 100, 103, 118, and 119 of the Consolidated Class Action Complaint (“Complaint”).

10 **3.** Attached hereto as **Exhibit 2** to this declaration is a true and correct copy of the “Tezos
11 Contribution Terms,” available at <https://www.tezos.ch/pages/contribution-terms.html>. Plaintiff
12 quotes this document in paragraphs 125 and 126 of the Complaint.

13 **4.** Attached hereto as **Exhibit 3** to this declaration is a true and correct copy of the
14 “Transparency Memo” posted to the Tezos website.² Plaintiff quotes this memorandum in paragraphs
15 46, 47 and 79 of the Complaint.

16 **5.** Attached hereto as **Exhibit 4** to this declaration is a true and correct copy of the
17 Declaration of Woodrow H. Levin, executed on May 4, 2018 in San Francisco, California.

18 I declare under penalty of perjury under the laws of the United States of America that the
19 foregoing is true and correct. Executed on May 15, 2018 in Palo Alto, California.

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21
22 /s/ Samantha A. Kirby
23 Samantha A. Kirby
24
25

26 ¹ Although this document is no longer accessible on the Tezos Website, it can be viewed on the Internet
27 Archive at http://web.archive.org/web/20180327165037/https://tezos.com/static/papers/Tezos_Overview.pdf.

28 ² Although this document is no longer accessible on the Tezos Website, it can be viewed on the Internet
Archive at <http://web.archive.org/web/20170808014830/https://www.tezos.com/dls>.

FILER'S ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, Patrick E. Gibbs hereby attests that concurrence in the filing of this document has been obtained from all the signatories above.

Dated: May 15, 2018

COOLEY LLP

/s/ Patrick E. Gibbs

Patrick E. Gibbs